IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 16TH MARCH 2007 / 25TH PHALGUNA 1928

WP(C).No. 7440 of 2007(I)

PETITIONER:

K.A.RADHA, AGED 54 YEARS,
D/O AYYAPPAN, KALATHIL HOUSE,
NOW WORKING AS SELECTION GRADE TYPIST,
OFFICE OF A.E.O, KUNNAMKULAM DISTRICT.

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.T.SREEKANTAN
SRI.P.P.BIJU

RESPONDENTS:
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1. THE GOVERNMENT OF KERALA REP. BY
SECRETARY, GENERAL EDUCATION DEPARTMENT,
THIRUVANANTHAPURAM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS,
THIRUVANANTHAPURAM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 16/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K.DENESAN, J.

WP(C)No. 7440 OF 2007

Dated this the 16th March, 2007.

JUDGMENT

The petitioner is working as Selection Grade Typist in the General Education Department. The second respondent passed Ext.P2 order allowing the request of the petitioner to promote her notionally to the post of Selection Grade Typist retrospectively with effect from 18.6.2003. However, it was stated in Ext.P2 that she will not be entitled for back arrears since the retrospective promotion granted was only notional.

2. Counsel for the petitioner submits that Ext.P1 order would show that the petitioner is entitled for back arrears also and that Ext.P2 order is unsustainable.

3. Govt. Pleader on instruction submits that the second respondent is reconsidering the stand taken by that respondent in Ext.P2 and that fresh orders will be passed after taking into consideration relevant orders and rules on the subject.

4. In the light of the above submission the writ petition is disposed of directing the second respondent to pass fresh orders in accordance with law regarding the right of the petitioner for back arrears from 18.6.2003 onwards in the post of Selection Grade Typist. Orders

shall be passed within six weeks from the date of receipt of a copy of the judgment.

K.K.DENESAN
Judge

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